

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION**

# **MEMORANDUM AND ORDER**

This matter is before the Court on Banks's pro se motion to receive copies of "all court docket transcript[s]" in this case and to supplement his motion to vacate, set aside, or correct sentence. The motion shall be granted in part and denied in part.

On April 19, 2006, Banks pled guilty to one count of being a felon in possession of a firearm. On June 27, 2006, I sentenced Banks to 180 months' imprisonment as a result of the plea. Banks did not appeal the sentence.

Banks filed the original § 2255 motion on July 11, 2006, and he filed an amended § 2255 motion on July 24, 2006. On August 2, 2006, I ordered the government to respond to Banks's motion, and the government filed its response to the amended motion on September 15, 2006.

Since September 5, 2006, Banks has filed several “supplements” to his § 2255 motion. The supplement that Banks currently seeks to enter into the record includes a 42-page “brief.”

Under Rules 2 and 5 of the Rules Governing § 2255 Proceedings, the accepted filings in a § 2255 case consist of the motion, the answer, and a reply to be filed “within a time fixed by the judge.” The Rules do not permit supplements.

To effectively manage this case, I will order all of the supplements to be stricken from the record. I will direct the Clerk to mail a copy of each of the supplements to Banks so that he may use them in formulating a reply as permitted by Rule 5(d) of the Rules Governing § 2255 Proceedings. If Banks chooses to file a reply, he shall file it no later than 60 days the date of this Memorandum and Order. The reply shall not exceed 15 pages.

Finally, Banks’s request that the Court send him “all court docket transcript[s]” shall be granted to the extent that the Court will order the Clerk to mail Banks a copy of the docket sheet.

Accordingly,

**IT IS HEREBY ORDERED** that Banks’ pro se motion to receive copies of “all court docket transcript[s]” in this case and to supplement his motion to vacate,

set aside, or correct sentence [Doc. no. 22] is granted in part and denied in part in accordance with this Memorandum and Order.

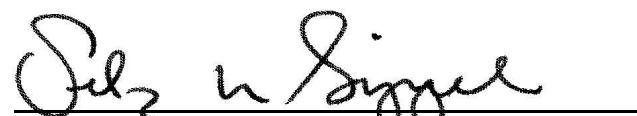
**IT IS FURTHER ORDERED** that if Banks chooses to file a reply to respondent's answer, he shall file the reply no later than 60 days from the date of this Memorandum and Order. Rule 5(d) of the Rules Governing § 2255 Proceedings.

**IT IS FURTHER ORDERED** that the reply shall not exceed 15 pages.

**IT IS FURTHER ORDERED** that the supplements to the § 2255 motion [## 14, 16, & 18] are stricken from the record.

**IT IS FURTHER ORDERED** that the Clerk shall mail to Banks a copy of each of the supplements to the § 2255 motion [## 14, 16, 18 & 22].

**IT IS FURTHER ORDERED** that the Clerk shall mail to Banks a copy of the docket sheet.



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RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 21st day of February, 2007.